

FLAMES EXPOSE SHEETS CASE HAS FATED TO HOLD

Oil Magnate H. Clay Pierce Remanded to the Custody of the Texas Sheriff.

APPEALS TO HIGHER COURT

TWO BONDS OF \$20,000 EACH REQUIRED.

St. Louis, May 15.—When court reconvened at 2 o'clock, Attorney Priest gave notice that two appeals would be taken from the decision of Judge Adams, one to the United States circuit court of appeals and one to the United States supreme court. The court then admitted Pierce to bond in the sum of \$20,000 on each appeal.

St. Louis, May 15.—H. Clay Pierce, chairman of the board of the Waters-Pierce Oil company, was today remanded to the custody of Sheriff Matthews of Texas to answer to an indictment charging perjury, by a decision rendered this morning by Judge Adams in the United States circuit court.

Judge Adams today denied the application of Mr. Pierce for a writ of habeas corpus.

Mr. Pierce was wanted in Texas to answer to an indictment charging perjury in an affidavit made by him in May, 1906, to the effect that the Waters-Pierce Oil company was not a party to any pool, trust, confederation or combination in restraint of trade.

Asked a Few Hours' Delay.

After Judge Adams had read his decision, Attorney Priest immediately asked that a delay of execution of the court's order be granted till 2 o'clock this afternoon to enable him to decide whether to make an appeal to the United States court of appeals or directly to the United States supreme court. Judge Adams granted the request.

Attorney Barclay, representing the State of Texas, asked that the court increase the bond to \$20,000 on each appeal. He stated that the bond was not to remain at that amount until 2 o'clock this afternoon. Mr. Pierce had little to say as he left the court room with his attorney. He spoke to several friends who crowded forward to shake his hand, but made no comment.

Opinion of the Court.

In his decision Judge Adams reviewed the Texas indictment and the grounds upon which it was based, and cited a number of supreme court expressions concerning the framing of indictments. The decision continued:

"Such are the more recent expressions of the supreme court of the United States on this question. They amount to this, that while every indictment must be taken to fairly and fully apprise the accused of the nature and cause of the accusation against him, so as to enable him to make his defense and plead the judgment which may be rendered in the case for his protection against another charge for the same offense, and thereby protect him to the full in his constitutional right to a fair and impartial trial, no impracticable standards of technicality or refinements, which tend to defeat justice or embarrass its administration, should be adopted. Such is also the statutory law of Texas, an indictment for any offense against the penal laws of this state shall be deemed sufficient if it charges the commission of the offense in ordinary and concise language in such a manner as to enable a person of common understanding to know what is meant."

Plea Not Sufficient.

"In the light of the foregoing controlling and reasonable rules, it would seem that if a president of a corporation whose duty it was as chief executive to know what kind of agreements his company had made, should, pursuant to a law requiring him to do so, make an affidavit that his company had not made such an agreement with any other company to fix the price or limit the production of oil, and that his company was not in violation of the law, and that the affidavit could hardly say, when charged with false swearing in that particular, that he could not understand the nature of the charge, that its meaning was not apparent to common understanding; that it was only the expression of an opinion, and that its meaning, when taken in connection with the law governing the same."

Argument Without Merit.

"It is argued that because the indictment was not found within the year after the commission of the offense, prosecution for it is barred by the statute of limitations. That argument, without merit. It may turn out to be true that the petitioner has been absent from the state of Texas during a part of the time since 1900. If so, the duration of such absence would not be included in the period of limitation."

MEN RISK THEIR LIVES.

Newport, R. I., May 15.—The submarine boats Lake and Octopus were submerged late today near the naval coaling station at Bradford. The two twenty-four-hour submerged submarines were submerged for a test. The members of the trial board decided not to go down, but will remain on the surface. The boats will be submerged on Monday. There are nine men on board the Lake and sixteen on the Octopus. At the point where the boats went down the water is from twenty-four to twenty-nine feet deep.

EDITOR DECORATED.

New York, May 15.—The decoration of the Order of the Morning Star was conferred upon Dr. Louis Klopsch, editor of the Christian Herald, by Baron Takeo Ozawa, personal secretary of the emperor of Japan, in recognition of the work in relieving sufferers in Japan last year. More than a quarter of a million dollars was raised by the Christian Herald for this purpose.

Brains Rule the World.

Grape-Nuts

FOOD makes Brains.

"There's a Reason."

Read "The Road to Wellville" in pkgs.

PERNICES CLOSE THEIR EYES ON THE UNITED STATES COMPANY MAKES PREPARATIONS TO SEND ORE ELSEWHERE.

Breeden Latest Scapegoat in Roaring Comedy of Errors.

GOVERNOR TAKES A HAND ALL QUIET IN LITTLE TOWN

ATTORNEY GENERAL FIGURES IN STORMY INTERVIEW. NO ARRESTS, NO DRUNKENNESS, NO DISORDER.

Complications involving several officials from the chief executive down to the county attorney have arisen in the Sheets case. The origin of the latest difficulty is in the dismissal of the appeal to the supreme court from the decision of Judge Armstrong quashing the information charging Chief of Police George Sheets with conspiracy.

When the case came before the supreme court Monday, Attorney General Breeden moved for a dismissal of the case. The exact reasons for the dismissal were not given. It is the opinion of some attorneys that the decision of the district court was not an appealable order, while others say that the record was not complete. Attorney General Breeden said that a new information would be filed by the district attorney and wrote a letter to County Attorney Willard Hanson requesting him to assist the district attorney in the prosecution of the case.

And Hanson 130 Miles Away.

While this was transpiring District Attorney Fred C. Loofbourrow was in Tooele and County Attorney Willard Hanson was in Mant. The letter requesting the county attorney to assist in the case was made public that evening. On the return of Mr. Loofbourrow to the city Tuesday he called on Major Breeden and had a consultation with him. Later there was a conference between Governor Cutler and the attorney general. Mr. Breeden then wrote another letter to Mr. Hanson withdrawing the request he made the day before. Both parties were received yesterday by Mr. Hanson on his return from Mant.

Just what occurred at the various conferences remains a profound secret, the different officials declining to make any statement whatever with reference to them. It is inferred, however, that District Attorney Loofbourrow declined to accept the services of Mr. Hanson as assistant prosecutor and that the matter was reported to the governor and another consultation held. From an authoritative source it was learned that the governor in the governor's office between Attorney General Breeden and Governor Cutler was a stormy one and it was even reported that Governor Cutler had threatened the resignation of the attorney general. This was neither confirmed nor denied by Governor Cutler or Attorney General Breeden.

Governor Is Non-Committal.

"It is rumored that as a result of the controversy in the Sheets case a conference was held between you and Attorney General Breeden Tuesday morning at which you requested the resignation of Mr. Breeden. Do you care to tell us anything with reference to this rumor?"

"What is the use of talking about such things? I don't care to say anything," replied the governor, and thereby protected him to the full in his constitutional right to a fair and impartial trial, no impracticable standards of technicality or refinements, which tend to defeat justice or embarrass its administration, should be adopted. Such is also the statutory law of Texas, an indictment for any offense against the penal laws of this state shall be deemed sufficient if it charges the commission of the offense in ordinary and concise language in such a manner as to enable a person of common understanding to know what is meant."

Breeden Declines to Talk.

Practically the same question was put to Major Breeden to which he replied: "All I care to say with reference to this matter is that I have declined to accept the services of Mr. Hanson as assistant prosecutor. I developed that in my paper today is a cowardly, contemptible lie, that's all I have to say."

HAS HIS SKULL CRACKED.

Sam Newton Fares Badly in Encounter With Nate Adams, a Cripple.

American Fork, May 15.—Sam Newton, a local blacksmith of this place, was seriously injured last evening by being struck by the head of a crutch in the hands of Nate Adams, a one-legged man, who was in the saloons, where Newton was playing billiards, and where he was seen by the crutch. Newton hit Adams with his cue Adams immediately clubbed his crutch and struck Newton fairly across the head, knocking him unconscious and cutting a large gash in his head. He was carried to his home and the doctor summoned. An examination showed that it was a bad scalp wound and had also cracked the skull, but had made no depression. The wound was not able to leave his head today, but the doctor thinks he will get along and will be all right in a few days. Adams was arrested on the charge of assault and will have his hearing in the morning.

DEPARTING ON TIME.

New York, May 15.—Today 100 men from New England were put to work on South Brooklyn piers. The Prinz Eitel Frederick arrived from Kingston with fifty negroes, who had been added to the crew that they might do the work of the stevedores.

INVOLVES SUNDAY LAW.

Washington, May 15.—The case of Alfred Bergfeld vs. the state of Washington was docketed today in the supreme court of the United States. The case involves the constitutionality of the Washington state law prohibiting barbering on Sunday.

HAS FAINTING SPELLS.

St. Petersburg, May 15.—M. Kokovoff, the minister of finance, is seriously ill. He fainted during the meeting of the council of ministers on May 13, and was removed to his home in a grave condition. The fainting spell was repeated yesterday.

EARTHQUAKE IN MEXICO.

Chilpancingo, Mexico, May 15.—The worst earthquake of the series that has visited this region since the disastrous disturbances of April 14 was felt here today.

Don't Pay Alimony.

There will be no occasion for it if you keep your bowels regular with Dr. King's New Life Pills. Their action is so gentle that the appendix never has cause to make the least complaint. Guaranteed by Z. C. M. I. Druggists, 25c. Try them.

PERFUMES

Our Two Specials,

Kadorys and Dier Kiss

Are wonderful for their durability and delicate fragrance. They are the kind that never fail to please the most fastidious, and once used you will always want them.

Godbe-Pitts Drug Co.

Both Phones No. 140.

PRINTERS ELECT OFFICERS

Henry Russell Is Choice for Delegate to International Convention—Daniels Re-elected President.

The Salt Lake Typographical union No. 15 held its annual election of officers yesterday afternoon in the office of the Labor Press in the Commercial Club building. The only contests of the election were for the positions of secretary-treasurer and delegate to the international Typographical union convention to be held in Hot Springs next August. There are 143 members in the union and there were 125 votes cast.

A. Thompson was re-elected secretary-treasurer over George G. Welles by a vote of 87 to 45. H. K. Russell was selected as delegate to the international convention with 98 votes, against 25 for E. A. Gregory and 7 for J. E. Bosch. M. H. Daniels was re-elected president without opposition. Harry Best, Ed Toole, and J. E. Osborn, J. E. Osborn, Lorenzo Reesley, Sidney Groo, secretary-treasurer, A. Thompson, secretary-at-large, Joseph Johnson, executive committee, H. K. Russell, C. M. Hirsch, D. E. Williamson, E. A. Gregory, J. E. Osborn, auditors, A. E. Graham, J. E. Osborn, delegate to international Typographical union, Henry K. Russell, delegates to the international Typographical union, J. E. Osborn, A. E. Graham, E. A. Phillips, J. W. Hilton, George W. Bosch, J. C. Krier, J. Jensen, delegates to the international Typographical union, J. E. Osborn, Charles Houck.

GUATEMALA'S POSITION.

Official Statement Regarding Relations With Mexico.

Guatemala City, May 14.—The following official statement regarding the strained relations between Guatemala and Mexico was made today to the correspondents of the press: "Guatemala avers that nothing has taken place on her part to justify strained relations. Mexico asked for the extradition of General Lina and the appearance in Mexico of Colonel Bone to testify in the Barillas case. In reply Guatemala has requested that Bone be sent to Mexico, and in spite of the fact that the treaty permits witnesses to decide whether they shall make their deposition here or abroad, on the other hand Mexico has declined to accede to Guatemala's request for the extradition of the General and Colonel Bone. It is a contempt upon the life of President Cabrera."

APPEAL TO BONAPARTE.

Washington, May 15.—Oklahoma Republicans will appeal to Attorney General Bonaparte to interpret the election order of the new state constitution as a last hope of finding some legal way of calling an election for August or September. With this purpose a committee led by Judge Armstrong of Washington, according to telegraphic advices.

HOUSE BILL REJECTED.

St. Petersburg, May 15.—The council of the empire today rejected the bill which was passed April 20 by the lower house, abolishing trials by drumhead courts-martial.

Why Don't You Try?

Why don't you try to be happy. That is, if you are weak and nervous, why don't you try Seline Pills? They are the best of the world, simply because they are the best for any form of weakness in men and women. Besides, they are guaranteed. Price \$1 a box, six boxes \$5, with full guarantee. Address or call F. J. Hill Drug Co., The Never Substitutors, corner Second South and West Temple streets.

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SUCCEEDS MAYOR PITCHER.

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Mrs. Reynolds Says She Was Not Extravagant in Buying Footwear.

Anna Tufts Reynolds, stepmother of Bessie Tufts, objects to the statement made in Judge Armstrong's court Tuesday that she purchased twelve pairs of shoes at one time for her stepdaughter and otherwise used the money of the child extravagantly. She said that the money left Bessie Tufts by her father, the late Don C. Tufts, is being held in trust for her and that it was not to be given to anyone to squander it. Mrs. Reynolds says she is allowed \$30 a month to pay for the girl's board and clothing. She says that she has filed an itemized statement with the court of what was purchased by her for Bessie Tufts during the past seven years.

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INSIST ON HAVING ACME QUALITY PAINTS.

CULMERS

20 E. FIRST SOUTH.

ROBINSON'S Patent Barley

The Only Infant Food

Your Hair Going?

Stop it, then. And why not? Falling hair is a disease, a regular disease, and your own doctor will tell you the remedy. He knows that Ayer's Hair Vigor, new improved formula, quickly stops falling hair, cures dandruff, and makes the hair grow. Just ask him.

We publish the formulae of all our preparations. J. C. Ayer & Co., Lowell, Mass.

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Gives intense heat without smoke or smell because equipped with a smokeless device. All parts are easily cleaned. Made in two finishes, nickel and Japan. Holds four quarts of oil and burns nine hours. Ever-hothead warranted. If you cannot get heater or information from your dealer, write to nearest agency for descriptive circular. CONTINENTAL OIL COMPANY.

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CULMERS

20 E. FIRST SOUTH.

ROBINSON'S Patent Barley

The Only Infant Food

Dubei Team vs. Eureka

SPANISH FORK, MAY 17

GRAND BALL

Peck's Pavilion, in Evening

SPECIAL TRAIN, 7:00 P. M., via

SALT LAKE ROUTE

\$1.40 ROUND TRIP

Be Sure to Get What You Ask For.

Why the Good People of America buy Cascarets as Fast as the Clock Ticks.

Every second some one, somewhere, is buying a little Ten-Cent Box of Cascarets.

1, 2, 3, 4, 5, 6—60 times to the Minute, 60 Minutes to the Hour, 3600 Boxes an Hour, 36,000 Boxes a Day of Ten Hours, 1,080,000 Boxes a Month, and then some.

Think of it—220,000 People take a Cascarets tablet each day. Millions use Cascarets when necessary.

The Judgment of Millions of Bright Americans is Infallible. They have been buying and taking Cascarets at that rate for over Six years.

Over Five Millions of Dollars have been spent to make the merits of Cascarets known, and every cent of it would be lost, did not sound merit claim and hold the constant, continued friendship, Patronage and Endorsement of well-pleased people year after year.

There is also a Reason—

Why there are Parasites who attach themselves to the Healthy Body of Cascarets—imitators, Counterfeiters, Substitutors.

They are Trade Thieves who would rob Cascarets of the "Good Will" of the people, and sneak unearned profits, earned and paid for by Cascarets.

A Dishonest Purpose means a Dishonest Product and a Disregard of the Purchaser's Health or Welfare.

Beware of the Slick Salesman and his ancient "Just as Good" story that common sense refutes.

Cascarets are made only by the Sterling Remedy Company, and put up in metal box with the "long-tailed C" on the cover. They are never sold in bulk.

Every tablet marked "C.C.C."

Be sure you get the genuine.

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Rubber Sale

Fountain and family syringes in all sizes and many styles, 50c up. Hot water bags that will relieve your aches, rubber gloves, cushions and sheeting, Baby comforts—everything in rubber usually carried in a drug store. It will pay you to call. Selling at very down prices. Both phones, 457. Remember the number.

44 MAIN STREET.

Anstee-Brice Drug Co.

EXPERT SAFE & LOCK WORK

REPAIRING BICYCLES & SUNDRIES

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BICYCLE SUPPLY CO

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Perfect paints, enamels, stains, varnishes for every purpose—are the

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kind. Write for "The Selection and Use of Paints and Finishes" free.

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THIS MARK.

PERFECTION OIL HEATER

Gives intense heat without smoke or smell because equipped with a smokeless device. All parts are easily cleaned. Made in two finishes, nickel and Japan. Holds four quarts of oil and burns nine hours. Ever-hothead warranted. If you cannot get heater or information from your dealer, write to nearest agency for descriptive circular. CONTINENTAL OIL COMPANY.

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SALT LAKE THEATRE

MATINEE TODAY 2:15

TONIGHT LAST TIME

70 People.

LEW DOCKSTADER

And His Great Minstrels.

Prices—Evening, 25c to \$1.50. Matinee, 25c to \$1.00. Sale now on.

NEAT ATTRACTION: Friday and Saturday Matinee, Otis Skinner in "THE DUEL." Sale now on.